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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, THU V.

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/032,196

Applicant(s)

CHILDS ET AL

Examin r

Thu Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 & 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter in claim 37. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). The specification page 14, lines 13-29 discloses several factors in separate embodiments that help determine if a road segment is insignificant. However, the specification does not teach determining insignificant road by going through the ordered steps set forth in claim 37.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 13-14, 16-30, 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama et al (US 5,452,212) in view of O'Shea (US 6,199,013).

As per claim 1, 5-6, Yokoyama teaches an electronic navigation aid device comprising: a processor 20 (fig.1); a memory 10 (fig.1) connected to the processor to provide route guidance that account for insignificant route (col.8, lines 7-20). Yokoyama does not explicitly teach that

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the route such as entry/exit, interchange are route segments. However, O'Shea teaches expressing the pieces of route in segments (col.4, lines 9-28). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to express the route as segments connected by nodes in order to facilitate determining the significant and insignificant criteria for navigation instruction of the segment as taught by O'shea in col.6, lines 16-27.

As per claim 2-4, providing navigation program on portable devices such as PDA would have been known. Further, implementing the navigation program in a portable navigation device that can be connected wirelessly to a network would have been obvious as taught by O'shea (col.23, lines 30-39).

As per claim 7-8, O'Shea teaches nullifying a maneuver (col.6, lines 16-27), and modifying the road maneuver associated with an insignificant road segment (col.18, lines 62-67; col.19, lines 20-30).

As per claim 9-10, 13-14, 25-30, 34-35, refer to claims 1, 7-8 above. Further, Yokoyama teaches determining the significant characteristic of the road (col.5, lines 8-17), and O'shea teaches providing road maneuver associated with a significant or insignificant of the road segment (col.6, lines 16-27; col.19, lines 15-46).

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As per claim 16-24, refer to claim 9, 7-8 above. Further, including a remote server that includes the a processor for calculating navigation instruction, and transmitting the results to the navigation device in a wireless communication channel, and the cellular navigation device that retrieves the navigation data from the server would have been well known.

4. Claims 11-12, 15, 31-33, 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama et al (US 5,452,212) in view of O'Shea (US 6,199,013) and further in view of Hasegawa et al (US 6,510,379).

As per claim 11-12, 31-33, Hasegawa teaches determining significant characteristic of a road segment by determining the length of the segment (col.7, lines 15-31; col.8, lines 66-67; col.9, lines 1-4, lines 10-12). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to extent the criteria for determining significant characteristic of a road segment of the combined Yokoyama and O'Shea to the length of a segment as taught by Hasegawa in order to eliminate providing maneuver instruction on a short road segment.

As per claim 15, 36-37, refer to claims 10-13 above.

Cited Prior Arts

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Watanabe (US 5,977,885) teaches not to provide navigation instruction at certain area of a road (col.1, lines 42-42-67; col.9, lines 8-15, lines 49-64).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications intended for entry)

Or:

(703) 305-7687 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873. The fax phone number for this Group is (703)305-7687 .

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-1111.

A handwritten signature in cursive script, appearing to read "Thu Nguyen", with a horizontal line underneath.

Thu Nguyen

September 5, 2003